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05-CV-02064-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CURTIS S. THOMPSON,

Plaintiff,

v.

SCOTT O'TOOLE, *et al.*,

Defendants.

CASE NO. C05-2064-JLR

ORDER GRANTING DEFENDANT  
HIGA'S MOTION FOR SUMMARY  
JUDGMENT

The Court, having reviewed plaintiff's amended civil rights complaint, defendant Higa's motion for summary judgment, plaintiff's motion to amend his complaint, the original and the supplemental Report and Recommendation of Judge Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts both the original and the supplemental Report and Recommendation.
- (2) Defendant Higa's motion for summary judgment (Dkt. No. 43) is GRANTED.
- (3) Plaintiff's motion to amend his complaint (Dkt. No. 54) is DENIED.
- (4) Plaintiff's amended complaint and this action are DISMISSED, with prejudice, as to

ORDER GRANTING DEFENDANT  
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defendant Higa.

(5) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable Monica J. Benton.

DATED this 19th day of June, 2007.



JAMES L. ROBART  
United States District Judge